

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
CHEYENNE C. HARDING,
Plaintiff,


v.

TROOPER TIMOTHY H. FINNEGAN;
INVESTIGATOR TIMOTHY P. GOULD;
INVESTIGATOR JAMES WOLLMAN; AND
OTHER STATE POLICE EMPLOYEES, in
their individual and official capacities,
Defendants.
-----X

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/26/2024

ORDER

22 CV 6285 (VB)


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 Chambers of Vincent L. Briccetti

In an Opinion and Order dated August 9, 2024, the Court granted defendants' motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction and 12(b)(6) for failure to state a claim upon which relief can be granted. (Doc. #26). The Court also granted plaintiff leave to file an amended complaint by September 9, 2024, in accordance with the instructions set forth in the Opinion and Order. (*Id.*). In doing so, the Court warned plaintiff that if she failed to file an amended complaint by September 9, 2024, the Court would enter judgment in defendants' favor and close the case.

Chambers mailed a copy of this Opinion and Order to plaintiff at the address on the docket.

To date, plaintiff has not filed an amended complaint or sought an extension of time in which to do so. Moreover, the Court has not received any return mail or other indication that plaintiff did not receive the August 9, 2024, Opinion and Order.

Accordingly, the Court deems plaintiff to have abandoned this case. The Clerk is directed to enter Judgment in defendants' favor and close this case.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: September 26, 2024
 White Plains, NY

SO ORDERED:



Vincent L. Briccetti
 United States District Judge